<u>**REMARKS**</u>

Claims 1-4, 6-18, 20-33, and 35-43 are currently pending in the subject application and are presently under consideration. A version of the claims is at pages 2-7. Claims 1, 11, 20, 29, and 40 have been amended herein. Claims 5, 19, and 34 were previously cancelled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   <u>Response to Decision on Appeal</u>

Claims 1-4, 6-18, 20-33, and 35-43 stand rejected under 35 U.S.C. §102(e) as being anticipated by Christiano (U.S. 5,671,412). In view of the amendments to the claims contained herein, it is respectfully requested that this rejection be withdrawn for at least the following reasons. Christiano does not teach or suggest each and every aspect of the subject invention as claimed.

> For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The claimed invention relates to a license management and enforcement system. In particular, independent claims 1, 11, 20, 29, and 40 recite similar limitations, namely *a validation component that checks stored license data **at regular time intervals** to ensure that the data has not been corrupted.* Christiano is silent with respect to such novel feature recited in the subject claims.

Christiano discloses a license management system for software applications that stores and manages license data using a client-server model. A license server stores software application license data, and client systems that have access to this server can request licenses for various applications. The license server, as disclosed in the reference, performs diagnostic checking of the license store data upon receiving a license request from a user (col. 10, lines 53-55 and col. 19, lines 17-21), upon initialization of the license store (col. 11, lines 12-24), or in

response to a request from a client system to perform diagnostic checks (col. 21, lines 19-28 and col. 22, lines 29-33).

The decision on appeal notes that the term "periodic" is defined as "from time to time." As amended, independent claim 1 (and similarly amended independent claims 11, 20, 29, and 40) recites *a validation component that checks stored license data **at regular time intervals** to ensure that the data has not been corrupted.* Christiano does not disclose or suggest at least this claimed aspect. In addition, this reply incorporates by reference all arguments made in applicants' appeal brief.

In view of at least the foregoing, it is apparent that Christiano does not teach or suggest all limitations recited in independent claims 1, 11, 20, 29, and 40 (and the claims that depend there from), therefore the claims are in condition for allowance.

<u>**CONCLUSION**</u>

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP494US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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